

NO. 1564. 10

IN THE
United States Circuit Court of Appeals
FOR THE NINTH CIRCUIT

ELIZABETH DECKER, Appellant,

vs.

PACIFIC COAST STEAMSHIP COMPANY,
a corporation, Appellee.

E. M. Barnes' Appearance as Amicus Curiae

SHACKLEFORD & LYONS,
Attorneys for Appellee.
GEO. W. TOWLE, of Counsel.

E. M. BARNES,
Amicus Curiae.

Filed this..... day of July, A. D. 1908.

Clerk.

By.....Deputy Clerk.

The Transcript Press, Juneau, Alaska

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And now comes E. M. Barnes and asks that leave be given him to appear as Amicus Curiae herein for the purpose of showing wilful deceit of this Honorable Court by the attorneys and counsel for appellee herein, as appears from appellee's reply brief herein.

After leave being granted the said deceit consists as follows: *in the last sentence of par 1 on p. 56 of the reply brief also*

Quoting therefrom and commencing at line 10 and p. 5 of appellee's reply brief "Quoting from deed, found on p. 56 of the transcripts we find the following: "and we do, as the owners of said lots K and "L, the same abutting on Franklin street, in said

“city, the said street running along line of ordinary
“high tide, and being the shore of Gastineau chan-
“nel, in said town of Juneau.”

The record is as follows commencing at the word
“and” in line 3 of page 56 of the transcript “And
“we do, as the owners of said lots K and L the same
“abutting upon Franklin street in said city, the said
“street running along the line of ordinary high tide,
“being the shore of Gastineaux channel, in said town
“of Juneau.”

Record p. 56 commencing on line 3.

The word “and” interjected after the comma fol-
lowing “high tide,” and before the word “being”
intends to deceive this Honorable Court as to the
description in said deed making the reading extreme-
ly more favorable for appellee.

Respectfully Submitted,

E. M. BARNES,

Amicus Curiae.